

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-429-DCK**

AXXON INTERNATIONAL, LLC,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
GC EQUIPMENT, LLC, and)	
GLOBECORE GmbH,)	
)	
Defendants.)	
)	

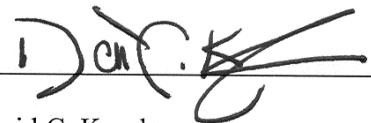
THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Motion To Strike Defendant Globecore GmbH Response” (Document No. 45) filed September 24, 2018. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion.

By the instant motion, Plaintiff seeks to strike a purported response (Document No. 44) to the Amended Complaint by Defendant Globecore GmbH pursuant to Fed.R.Civ.P. 12(f). (Document No. 45). The Court does not construe this document (Document No. 44) addressed to the Clerk of Court, Frank Johns, as a filed response to the Complaint; rather, it is a letter that the Court docketed in the interest of full transparency. At this point, the undersigned is not persuaded that Fed.R.Civ.P. 12(f) is applicable to this letter, or that there is good cause to "strike" the letter from the docket. Rule 12 allows a Court to strike an insufficient defense, or redundant, immaterial, impertinent, or scandalous matter. See Fed.R.Civ.P. 12(f).

IT IS, THEREFORE, ORDERED that “Plaintiff’s Motion To Strike Defendant Globecore GmbH Response” (Document No. 45) is **DENIED WITHOUT PREJUDICE**.

SO ORDERED.

Signed: September 26, 2018



David C. Keesler
United States Magistrate Judge 